

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

UNITED STATES OF AMERICA)
)
 v.) 1:19CR54-1
)
STEVE BRANTLEY SPENCE)

ORDER

This matter came before the court for a status hearing on March 2, 2020. Due to the complexity of the case, the parties requested a continuance of the matter to a date certain and the Government requested the time be excluded pursuant to the Speedy Trial Act, 18 U.S.C. § 3161, *et seq.*

For the reasons stated from the bench, the court finds that such a continuance is necessary in order for counsel for the Defendant to have adequate time in which to review and evaluate relevant discovery, and for both parties to prepare for trial. The Defendant does not oppose the requested continuance and the court finds that the Defendant has waived the provisions of the Speedy Trial Act, 18 U.S.C. § 3161, *et seq.*

The court, therefore, concludes that the failure to grant the motion to continue would likely result in a miscarriage of justice by denying counsel the time necessary for effective preparation, taking into account the exercise of due diligence. See 18 U.S.C. § 3161(h)(7)(B)(iv). Accordingly, the ends of justice served by

granting the continuance in this matter outweigh the best interests of the public and the Defendant in a speedy trial.

IT IS THEREFORE ORDERED that this matter will be set for trial beginning May 18, 2020 at 9:00 a.m. in either Courtroom 1 or 2 in Winston-Salem, depending on availability. The final location will be determined at a later date.

IT IS FURTHER ORDERED that a pretrial conference is set for May 6, 2020 at 2:00 p.m. in Courtroom 2 in Winston-Salem.

IT IS FURTHER ORDERED that any pretrial briefing, proposed joint jury instructions and voir dire is due by April 29, 2020.

IT IS FURTHER ORDERED that the period from March 2, 2020, up to and including May 18, 2020, is hereby excluded from the provisions of 18 U.S.C. § 3161, *et seq.*, pursuant 18 U.S.C. §§ 3161(h)(7)(A) and (B)(iv).

/s/ Thomas D. Schroeder
United States District Judge

March 3, 2020